

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MONTIE SULLIVAN,

Petitioner,

v.

RHONDA RICHARD, WARDEN,
MADISON CORRECTIONAL INSTITUTION,

Respondent.

CASE NO. 2:17-CV-00974
JUDGE ALGENON L. MARBLEY
Magistrate Judge Chelsey M. Vascura


OPINION AND ORDER

On November 8, 2017, the Magistrate Judge issued a *Report and Recommendation* pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts recommending that the petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 be dismissed. (Doc. 2.) Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* (Doc. 2) is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

Petitioner has failed his right to appeal by failing to file objections. *See Thomas v. Arn*, 474 U.S. 140 (1985); *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). Therefore, the Court **DECLINES** to issue a certificate of appealability.

IT IS SO ORDERED.


ALGENON L. MARBLEY
United States District Judge